

## REMARKS

In the Office Action<sup>1</sup> mailed February 24, 2005, the Examiner rejected claims 1-4, 6-9, 12, 19, 28, 29, 32, and 34 under 35 U.S.C. § 102(b) as being anticipated by P. Stockl, GSM/DCS Coverage Measurement Systems (hereinafter Stockl) and further in view of U.S. Patent No. 5,602,831 to Gaskill; and objected to claims 5, 10-11, and 17-18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant acknowledges, with appreciation, the Examiner's indication of allowable subject matter and submits that this Amendment places the application, *prima facie*, in condition for allowance, as discussed below.

Applicant notes that the Examiner's rejection at page 2 of the Office Action is improper under 35 U.S.C. § 102(b) since the Examiner combined two references, namely Stockl and Gaskill, to formulate the rejection. In any event, Applicant traverses the rejection.

To expedite prosecution, however, Applicant places the above-captioned application in immediate condition for allowance by amending claims 1, 6, and 10 to incorporate the subject matter indicated allowable by the Examiner. Moreover, Applicant submits that with the cancellation of claims 2-5, 7-9, 20-34, only allowable claims 1, 6, and 10-19 are pending in this case. In particular, claim 1 is rewritten in independent form including the features of indicated allowable claim 5 and intervening claims 2-4. Moreover, claim 10 is rewritten in independent form including the features

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

of base claim 1 and intervening claims 7-9. Because claims 1 and 10 are now in the form the Examiner indicated as allowable, Applicant requests withdrawal of any rejections and objections and the timely allowance of claim 1, claims 6 and 12-19, at least by reason of their dependency from claim 1, claim 10, and claim 11, at least by reason of its dependency from claim 10.

With each of the pending claims 1, 6, and 10-19 in condition for allowance, Applicant requests entry of this Amendment under 37 C.F.R. § 1.116, reconsideration of the application, and the timely issuance of a Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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899567 v1

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